

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MATTRESS FIRM, INC.,

Plaintiff,

v.

GARY D. WHITE, *et al.*,

Defendants.

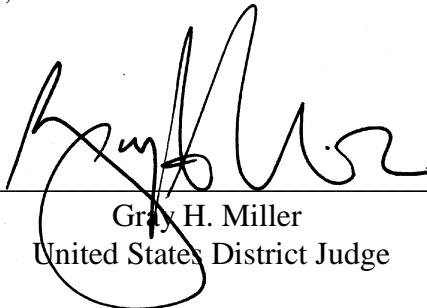
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CIVIL ACTION H-09-3072

ORDER

Plaintiff's motion to dismiss certain defendants (Dkt. 18) is GRANTED. It is therefore ORDERED that defendants Thomas Nealy, Rodney Stephenson, Phoenix Structures, Inc. *d/b/a* Trinity Retail Construction and Boribiba, Inc. *d/b/a* Eagle Technology are DISMISSED without prejudice.

Signed at Houston, Texas on December 22, 2009.



Gray H. Miller
United States District Judge

TO ENSURE PROPER NOTICE, EACH PARTY RECEIVING THIS ORDER SHALL
FORWARD IT TO EVERY OTHER PARTY AND AFFECTED NONPARTY